



PUBLIC NOTICE

Federal Communications Commission
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WIRELESS TELECOMMUNICATIONS BUREAU SEEKS COMMENT ON THE NATIONAL FOOTBALL LEAGUE'S SECOND REQUEST TO EXTEND WAIVER OF SECTION 96.39(C)(2) OF THE COMMISSION'S RULES

WT Docket No. 21-111

Comment Date: July 17, 2023

Reply Comment Date: July 24, 2023

The Wireless Telecommunications Bureau (Bureau) seeks comment on a request for an extension of waiver filed by the National Football League (NFL).¹ The Bureau granted the NFL a conditional waiver of section 96.39(c)(2) of the Commission's rules² governing the Citizens Broadband Radio Service.³ The waiver allowed the NFL to continue operating its coach-to-coach communications systems in the event of a localized internet outage in NFL stadiums, during NFL football games but after authority to operate within the stadium had been obtained from a Spectrum Access System (SAS).⁴ The waiver period was limited to the 2021-22 season and expired on February 13, 2022, after the conclusion of Super Bowl LVI.⁵

On September 7, 2022, the Bureau granted the NFL an extension of the waiver relief it granted in July 2021.⁶ The waiver extension was limited to the 2022-23 season and expired on February 12, 2023, after the conclusion of Super Bowl LVII.⁷

The NFL filed a second extension request on May 31, 2023, this time seeking an extension of the waiver for a two-year period, subject to the same eight conditions that were included in the September 2022 waiver extension.⁸ The NFL contends that an extension of the conditional waiver is needed in case simultaneous Internet outages occur during or immediately prior to a football game, preventing its system from connecting to a SAS.⁹ The NFL also asserts that an extension will allow it to continue to assess the

¹ Request of the National Football League for Extension of CBRS Waiver, WT Docket No. 21-111 (filed May 31, 2023), <https://www.fcc.gov/ecfs/document/1060138518494/1> (*NFL Second Waiver Extension Request*).

² 47 CFR § 96.39(c)(2).

³ *The National Football League Request for Waiver of Section 96.39(c) of the Commission's Rules*, WT Docket No. 21-111, Order, 36 FCC Rcd 10489 (WTB 2021).

⁴ *Id.* at 2-3, para. 6.

⁵ *Id.* at 3, para. 6.

⁶ *The National Football League Request to Extend Waiver of Section 96.39(c) of the Commission's Rules*, WT Docket No. 21-111, Order, 2022 WL 4118669 (WTB 2022) (*Waiver Extension Order*).

⁷ *Id.* at 7, para. 12.

⁸ *NFL Second Waiver Extension Request* at 7 (citing *Waiver Extension Order* at 4-5, para. 8).

⁹ *Id.* at 6.

technical and regulatory aspects of additional workaround solutions in the event of a simultaneous Internet outage.¹⁰

The Bureau seeks comment on the NFL's request. To develop a complete record on the issues presented by this request, the proceeding will be treated, for *ex parte* purposes, as a "permit-but-disclose" proceeding in accordance with Section 1.1200(a) of the Commission's rules, subject to the requirements under Section 1.1206(b). Parties should file all comments and reply comments in **WT Docket 21-111**.

Filing Requirements. Interested parties may file comments on or before the date indicated on the first page of this document.¹¹ All filings must refer to Docket No. 21-111. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS).¹²

- Electronic Filers: Comments may be filed electronically using the Internet by accessing ECFS: <http://apps.fcc.gov/ecfs/>.
- Paper Filers: Parties who choose to file by paper must file an original and one copy of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number.
- Filings can be sent by commercial overnight courier, or by first-class or overnight U.S.-Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.
- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701. U.S. Postal Service first-class, Express, and Priority mail must be addressed to 45 L Street, NE, Washington DC 20554.
- Effective March 19, 2020, and until further notice, the Commission no longer accepts any hand or messenger delivered filings. This is a temporary measure taken to help protect the health and safety of individuals, and to mitigate the transmission of COVID-19.¹³

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice).

Ex Parte Rules. The proceeding this Notice initiates shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules.¹⁴ Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made; and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda, or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be

¹⁰ *Id.* at 5.

¹¹ See 47 CFR §§ 1.2, 1.405, and 1.419.

¹² See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121-01 (1998).

¹³ See *FCC Announces Closure of FCC Headquarters Open Window and Change in Hand-Delivery Policy*, Public Notice, DA 20-304 (Mar. 19, 2020), <https://www.fcc.gov/document/fcc-closes-headquarters-open-window-and-changes-hand-delivery-policy>.

¹⁴ 47 CFR §§ 1.1200 *et seq.*

found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with section 1.1206(b) of the Commission's rules. In proceedings governed by section 1.49(f) of the rules or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (*e.g.*, .doc, .xml, .ppt, searchable .pdf).¹⁵ Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules.

For further information regarding this proceeding, please contact Mark DeSantis, Mobility Division, Wireless Telecommunications Bureau at Mark.DeSantis@fcc.gov or (202) 418-0678.

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¹⁵ *Id.* § 1.1206(b).